

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

**SECURITIES AND EXCHANGE
COMMISSION,**

3:22-CV-00269

Plaintiff,

V.

**LORAL L. LANGEMEIER and
LIVE OUT LOUD, INC.,**

Defendants.

PROTECTIVE ORDER REGARDING CONFIDENTIAL PERSONAL INFORMATION

Plaintiff Securities and Exchange Commission (“Commission”) and defendants Loral L. Langemeier and Live Out Loud, Inc. having jointly moved for entry of this protective order regarding confidential personal information, the Court hereby **GRANTS** that joint motion and **ORDERS** as follows:

1. This Protective Order applies to all Confidential Information, as defined in Paragraph 2 below, contained in any document, electronically stored information, or other material of any type produced or obtained through Rule 26(a) disclosures or discovery in this litigation. This Protective Order does not address other types of potentially confidential information and the parties have indicated that subsequent agreements or orders may address disclosure of such other types of information.

2. As used in this Protective Order, the term "Confidential Information" means the following information regarding an individual: social security number; taxpayer identification number; birth date; credit records; tax, medical, and criminal records; and bank, brokerage, and

1 financial institution account numbers; provided, however, information is not Confidential
2 Information if it is publicly available, including from governmental agencies.

3 3. This Protective Order does not restrict disclosure of materials from which the
4 Confidential Information has been redacted or obscured.

5
6 4. Confidential Information produced or obtained through Rule 26(a) initial disclosures
7 or discovery in this litigation shall be maintained as confidential and shall not be disclosed
8 without the consent of the producing party or the individual whose personal information is at
9 issue or pursuant to further court order, except that Confidential Information may be disclosed
10 without consent or order to the following: (a) the parties to this action, their counsel, counsel's
11 support personnel, and other Commission personnel; (b) consultants, expert witnesses, and
12 vendors retained for this litigation, provided such persons complete a stipulated compliance
13 certification; (c) persons who prepared or compiled the Confidential Information or received the
14 Confidential Information prior to the date of this Protective Order; (d) witnesses (or their
15 counsel) noticed for deposition or designated as a trial witnesses, or who are expected to be so
16 noticed or designated, to the extent reasonably necessary to prepare for or conduct their testimony
17 or to review the transcript of their depositions; (e) other individuals believed to have information
18 relevant to this litigation, to the extent disclosure has been determined by counsel to be
19 reasonably necessary for the prosecution or defense of this matter; (f) judges, magistrate judges,
20 mediators, court reporters, and other court-related personnel involved with this matter, subject to
21 Fed. R. Civ. P. 5.2 and any other applicable limitation on disclosure of confidential information
22 in judicial proceedings, and (g) federal, state, and local law enforcement agencies.

23
24 5. Nothing in this Protective Order is intended to (a) prevent a party that produced
25 Confidential Information from making use of that Confidential Information in its own business
26 operations or disclosing that information to the extent required by law, (b) prevent a party that
27
28

1 has produced or received Confidential Information from using or referring to such information in
2 response to discovery in this litigation; or (c) restrict the use or disclosure of information
3 produced or received other than in connection with this litigation or the Commission's pre-filing
4 investigation.

5
6 6. If the parties disagree as to whether information is Confidential Information within
7 the scope of this Protective Order, the party seeking to disclose the information may seek a ruling
8 from this Court. The information in dispute shall be deemed Confidential Information until the
9 Court rules or the question is resolved by agreement of the parties.

10
11 7. If a party that has obtained Confidential Information (or an employee, attorney,
12 expert, or other representative of such a party) receives a subpoena or other disclosure request
13 from a non-party seeking any such Confidential Information, the party receiving the disclosure
14 request shall within seven days provide notice of the disclosure request to the party that produced
15 the Confidential Information.

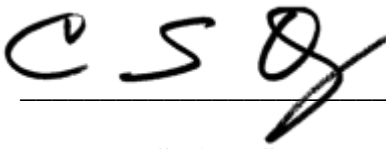
16
17 8. Except as provided in Fed. R. Civ. P. 5.2, Confidential Information may be filed with
18 the Court only (i) under seal or after a determination by the Court that the information at issue
19 need not be sealed, (ii) pursuant to court order, (iii) by agreement of the party that produced the
20 information, or (iv) by consent of the individual whose personal information is at issue. A party
21 seeking to file Confidential Information under seal must file a motion to seal.

22
23 9. In the event additional parties are joined in this litigation, they shall not be provided
24 access to Confidential Information until they have each executed and filed a statement agreeing
25 to be bound by this Protective Order.

26
27 10. Nothing herein shall be deemed to waive any privilege recognized by law, or shall be
28 deemed an admission as to the admissibility of any facts or documents revealed in the course of
disclosure.

1 11. Unless otherwise ordered, this Protective Order shall remain in force after dismissal
2 or entry of final judgment. Additional protective orders may be requested with regard to other
3 types of potentially confidential information or to supersede this Protective Order.
4

5
6
7 **IT IS SO ORDERED.**

8
9 

10 _____
11 **UNITED STATES MAGISTRATE JUDGE**

12
13 **DATED: September 30, 2022**
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28